

March 11, 2020

Connecticut Department of Energy and Environmental Protection
Bureau of Materials Management
and Compliance Assurance
Emergency Response and Spill Prevention Division
79 Elm Street
Hartford, CT 06106-5127
Attn: Yvonne Bolton, Bureau Chief
E-mail: yvonne.bolton@ct.gov

Re: Schedule Submittal as Required in Notices of Violation NOWSPCB019-001 dated October 31, 2019 (the "PCB NOV"); NOVSWDS20001 dated January 6, 2020 (the "Solid Waste NOV #1"); and NOVSWDS20006 dated February 27, 2020¹ (the "Solid Waste NOV #2 and, together with Solid Waste NOV #1, the "Solid Waste NOVs")
Town of Fairfield Aggregate Reclamation Yard
Richard White Way, Fairfield, Connecticut

Dear Ms. Bolton:

On behalf of the Town of Fairfield (Town), Weston & Sampson submits the following information and proposed schedule to perform investigation activities and corrective actions at the Aggregate Reclamation Yard located on Richard White Way in Fairfield, Connecticut (Site). The following information and proposed schedule supplements the Town's previous responses to both the PCB NOV and the Solid Waste NOVs and also includes revisions to the previously-submitted schedule, as suggested by regulators during the February 27, 2020 meeting to discuss the investigation, remediation and solid-waste closure of the Site. With respect to the PCB NOV, the Connecticut Department of Energy and Environmental Protection (DEEP) requested that the Town submit a schedule to provide the following:

1. Initial analytical results for samples taken from the Site;
2. A soil and sediment investigation work plan to delineate the extent of soil contamination at the Site;
3. Analytical results for samples showing that [polychlorinated biphenyls] PCB contamination at the Site has been corrected;
4. Analytical results evaluating the migration or lack thereof of PCB contamination at the Site;
5. Documentation confirming that wastes generated in addressing the alleged violations have been properly disposed; and
6. Measures taken to prevent future such violations at this or other sites.

DEEP also requested that the Town submit a schedule to correct the alleged violation(s) identified in the Solid Waste NOVs. One schedule is being submitted to address allegations in the PCB NOV and Solid Waste NOVs.

Proposed Schedule

To address the allegations contained in the Solid Waste NOVs, the Town will resubmit a solid waste closure application for comment and approval by DEEP, followed by implementation of the approved solid waste closure plan (Closure Plan). The approved Closure Plan will be incorporated into a Site Remedial Action Plan (RAP) to be submitted to the United States Environmental Protection Agency (EPA) Region 1 PCB Coordinator and the DEEP PCB Unit for review and approval. Investigation of Site impacts will be necessary to develop the Closure Plan and RAP.

The proposed schedule for submittals identified in the PCB NOV is as follows:

¹ The Town will submit a separate written response to Solid Waste NOV #2, referencing the schedule identified herein.

- **March 11, 2020** (Items 1 and 2) – Submittal of the Environmental Site Work Plan (Work Plan) in electronic format describing investigation activities to be performed at the Site with hardcopy to follow the next day. The goals for this Work Plan will be to collect data to evaluate and refine the Conceptual Site Model (CSM) developed for the Site and identify and sample the types of materials found in the aggregate pile. The Work Plan will include (1) a summary of analytical results obtained to date, (2) development of a CSM describing impacts at the Site, (3) Data Quality Objectives (DQOs) for the sampling program, and (4) a description of the sampling and analytical program to achieve the DQOs. Attached are markups of historical Site aerials and Figure 2, which outlines the area at the Site where materials were placed. The CSM and DQOs developed for the Site will be updated, as needed based upon the data obtained. Also attached is Figure 3, a Site sampling plan showing proposed sampling locations. This figure has been significantly modified from the original draft to reflect input from EPA and CT DEEP during the February 27, 2020 meeting.
- **May 29, 2020** (Items 2 and 4) – Submittal of an Investigation Report summarizing findings from the initial Site investigation and a Work Plan to (1) further assess materials within the aggregate pile and impacts to this area of the Site, (2) delineate the vertical and horizontal extent of the impacted materials, and (3) sample sediments and potentially other locations outside the extent of the aggregate pile to assess potential migration, if any. The CSM and DQOs developed for the Site will be updated, as needed based upon the data obtained.
- **July 24, 2020** (Items 2 and 4) - Submittal of an Investigation Report summarizing findings from the previous investigations and identifying data gaps and a Work Plan to fill data gaps and collect other information needed to complete the Closure Plan/RAP.
- **October 2020** – Submittal of the RAP and Closure Plan.
- **October 2021** - (Items 3 and 5) – Submittal of a Site Remedial Action Report (RAR), including information demonstrating that PCB contamination at the Site has been addressed, documentation confirming that wastes generated in addressing the violations alleged in the PCB NOV and Solid Waste NOVs have been properly disposed, and that closure of the solid waste disposal area was performed in accordance with the approved Closure Plan.

Modification of the above-proposed schedule may be necessary as additional Site data and information are gathered. When necessary, or as requested by DEEP or EPA, the schedule will be updated to reflect the current status of the corrective action process.

As to Item 6 of the PCB NOV, the Town does not anticipate accepting solid waste at the Site in the future. Accordingly, there should be no concern about the potential for recurrence of the alleged violations.

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.



Malcolm A. Beeler, LEP
Team Leader, PCB Technical Lead

Cc: Brenda Kupchick, First Selectwoman – Town of Fairfield
James Baldwin, Esq., Town Attorney – Town of Fairfield
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Gary Trombly – DEEP
Graham Stevens – DEEP
Robert Isner - DEEP
Dean Applefield, Esq. – DEEP
Kimberly Tisa – EPA Region 1
Jan Czczotka - DEEP

Attachments